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16 REGIS CORPORATION

17 UNITED STATES DISTRICT COURT

18 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

19 EKA NINUA, on behalf of herself and      ) Case No. CV 09 4045 JSW  
20 others similarly situated,      )  
21    )  
22 Plaintiffs,      ) STIPULATION AND [PROPOSED]  
23    ) ORDER TO CONTINUE MEDIATION  
24 v.      ) DEADLINE  
25    )  
26 REGIS CORPORATION; and DOES 1 to      ) Filing Date:      July 13, 2009  
27 50, inclusive,      ) Trial Date:      March 7, 2011  
28 Defendants.      )  
29  
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1 Plaintiff Eka Ninua ("Plaintiff") and Defendant Regis Corporation ("Defendant")  
2 (collectively the "parties") and hereby stipulate and seek an order of the Court to continue the  
3 mediation deadline in this case, as follows:

4 1. On November 30, 2009, the parties filed a Stipulation and Proposed Order  
5 Selecting ADR Process with the above-captioned court. The parties agreed to participate in  
6 private mediation.

7 2. On December 18, 2009, the Hon. Jeffrey S. White entered a case management  
8 Order which included a deadline for completing the mediation of April 30, 2010.

9 3. The parties subsequently agreed to mediate this matter before Jeffrey Ross on  
10 April 21, 2010.

11 4. In anticipation of the mediation, the parties agreed that Plaintiff's deposition  
12 would go forward on March 30, 2010. Plaintiff requested a Georgian translator for the  
13 deposition. After an extensive search, that included contacting multiple translation companies,  
14 Defendant retained a translator, and the March 30, 2010 deposition of Plaintiff commenced as  
15 scheduled. However, during the course of the deposition, it became evident to both parties that  
16 the translation services were inadequate, creating doubts that a proper record was being made.  
17 Accordingly, Plaintiff's deposition was suspended by agreement of the parties. Defendant has  
18 agreed to conduct a search for a Georgian translator who can translate in realtime and has  
19 experience translating for depositions. Defendant has further agreed that, if necessary, the  
20 deposition may be conducted in the greater Los Angeles area, where Plaintiff lives, if that is the  
21 only location where an acceptable Georgian translator can be found.

22 5. In anticipation of the mediation, the parties also agreed that Plaintiff's Federal  
23 Rule of Civil Procedure 30(b)(6) person most qualified deposition would take place on April 6,  
24 2010. In order to accommodate Plaintiff and her counsel, Defendant has agreed to produce its  
25 designated company representative in San Francisco instead of at the corporation's principal  
26 place of business in Minneapolis, Minnesota. Plaintiff's counsel is not able to take the  
27 deposition on April 6, 2010 in San Francisco, and the deposition cannot be rescheduled before  
28 the mediation date, due to the witnesses' schedule. Accordingly, the parties have agreed to

1 reschedule Plaintiff's FRCP 30(b)(6) person most qualified deposition for another date mutually  
2 agreeable to both parties and Defendant's designated company representative.

3       6. In anticipation of the mediation, the parties agreed that Defendant would produce  
4 certain sample data regarding its business practices, which has not been produced to date.

5       7. Whereas, in light of the fact that the parties will not be able to have a meaningful  
6 mediation without completing Plaintiff's deposition, the FRCP 30(b)(6) person most qualified  
7 deposition and production of Defendant's sample data documents, the parties agree that the  
8 deadline by which to complete mediation should be extended to June 30, 2010. The parties agree  
9 that the rescheduled mediation will go forward with mediator Jeffrey Ross on June 23, 2010.

10     WHEREFORE, it is hereby stipulated by and between the parties that the mediation  
11 deadline in this matter be continued from April 30, 2010 to June 30, 2010 or such other later date  
12 as the Court should determine.

13

Respectfully submitted,

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Date: April 6, 2010

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By:

Eric B. Kingsley  
Darren M. Cohen  
Liane L. Katzenstein  
Douglas A. Linde  
Attorneys for Plaintiff  
EKA NINUA

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Date: April 6, 2010

SEYFARTH SHAW LLP

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By:

Catherine M. Dacre  
Amy K. Skryja  
Attorneys for Defendant  
REGIS CORPORATION

1                   **[PROPOSED] ORDER**

2                   Good cause appearing therefore, as set forth in the above stipulation, the court-ordered deadline  
3                   for mediation is hereby extended to June 30, 2010.

4  
5                   **IT IS SO ORDERED.**

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7                   DATED: April 9, 2010

8                     
9                   HON. JEFFREY S. WHITE  
10                   UNITED STATES DISTRICT COURT JUDGE

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